

MEMORANDUM

TO: Superintendents, Principals, and School Leaders
FROM: Michael Brown, Legislative Director
DATE: May 5, 2017
RE: Indiana Department of Education 2017 Legislative Session Update

Several bills impacting K-12 education were passed by the 2017 General Assembly. These included impacts to CTE, statewide assessment, course access programs, school financial management, and teacher licensure, among others.

“Our team worked tirelessly over the past legislative session,” said Dr. Jennifer McCormick, Indiana Superintendent of Public Instruction. “Now it is time we shift our focus to implementation and begin working with local administrators to ensure our children have the best education possible.”

The following is a snapshot of the top K-12 bills that impact local school districts. Official guidance is forthcoming.

HEA 1001 – Biennial Budget

- Increases tuition support over the 2018-19 biennium.
- Creates the teacher appreciation grant (formally known as the teacher performance grant) and distributes \$30M per year.

HEA 1003 – Student Assessments

- Creates a new statewide assessment known as ILEARN.
- Changes will not take effect until the 2018-19 school year.
- Single testing window.
- Open ended questions to be scored by Indiana teachers.
- Math and E/LA once in grades 3-8 and once in 9-12; Science once in grades 3-5, 6-9, and 10-12; and US history or US government at least once in grades 5 or 8.
- The State Board of Education (SBOE) will create graduation pathways.
- Corporations may revise its plan for the 2017-18 school year to determine how to include ISTEP results in evaluations for certificated employees.
- Requests a summer study committee concerning certified employee evaluations.

HEA 1004 – Prekindergarten Education

- Maintains as a pilot program but expands to 15 additional counties (to be determined by Family and Social Services Administration).
- Funding doubled to \$22M annually.

HEA 1007 – Course Access Program

- Allows IDOE to offer course access program courses and authorize course providers.
- Requires the school corporation in which an eligible student is enrolled to transfer the tuition fee for a course to the authorized course provider.
- Schools to pay providers directly no less than 50 percent of tuition fees upon enrollment.

HEA 1009 – School Financial Management

- Provisions do not take effect until January 1, 2019.
- Eliminates the General Fund and Capital Projects Fund and instead requires schools to maintain an Education Fund and Operation Fund.
- Education Fund to be used exclusively to pay expenses allocated to student instruction and learning.
- Operation Fund allows transfer from any account not allocated to the Educational Fund.
☐ Provides a means for schools to raise more funds to raise their maximum levy.
- After August 15, 2020 a school corporation with an enrollment greater than 15,000 may not issue bonds unless they have an annual financial report using modified accrual basis accounting.

HEA 1024 – Prayer in Schools

- Allows schools to include as an elective in high school a course surveying religions of the world.
- Allows students to express religious beliefs in homework and assignments without being penalized or rewarded.
- Students may pray or engage in religious expressions and may organize prayer groups and clubs before, during, and after the school day.
- By July 1, 2017 IDOE in collaboration with the attorney general's office shall establish a model policy addressing the requirements under this bill. The policy must be made available to school corporations and IDOE must publish on its website.

HEA 1043 – Referendum Process

- Makes changes to a controlled project for a school building for which an ordinance or resolution is adopted in 2018 or later.
- Beginning in 2019, allows school corporations with a gross assessed value greater than \$1.5B to increase their referendum threshold.

HEA 1079 – School Employment and Teacher Licensure

- Employees hired before June 30, 2017 must have an expanded child protection index check (CPI) and expanded criminal history check (ECH) performed. Schools may establish a policy, but must check at least one-fifth of employees each year over the course of five years.
- Employees likely to have direct and ongoing contact with children and hired after July 1, 2017 must have an expanded CPI check completed no later than 60 days after start of employment and an expanded ECH check completed no later than 30 days after the start of employment.
- Applicant must pay for ECH checks unless the school agrees to pay costs.
- Schools must contact employment references before a prospective employee is hired.

HEA 1136 – Latchkey Programs

- ☐ If a school corporation provides preschool services, the corporation may allow preschool students to participate in a latchkey program.

HEA 1384 – Various Education Matters

- Local schools shall issue a diploma of a deceased student if certain conditions are met.
- Deletes a provision that a social worker agrees to obtain their master's degree within five years and instead social workers must now have their master's degree.
- Dual Language Immersion pilot grants not to exceed \$50,000.

HEA 1430 – Suicide Awareness and Prevention

- Requires corporations to adopt a policy addressing measures intended to increase child suicide awareness and prevention.
- Beginning after June 30, 2018, each school corporation shall require all teachers that provide instruction to students in any combination of grade 5-12 to attend or participate in at least 2 hours of youth suicide awareness and prevention training every three years.

o As defined, teachers include the following: superintendent, principal, teacher, librarian, school counselor, school psychologist, school nurse, and school social worker.

HEA 1449 – Teacher Induction Pilot Program

- Establishes the Indiana New Educator Induction Program to give new teachers, principals, and administrators mentoring support.
- Establishes the Indiana Educator Residency Pilot Program beginning July 1, 2018, which will provide prospective teachers with effective teaching skills.

HEA 1450 – Property Tax Matters

- Allows a school corporation to appeal to the Department of Local Government Finance (DLGF) to increase the maximum levy permitted for the school corporation's fund. To be granted an increase by DLGF, the school corporation must establish that the increase is necessary and meet certain conditions.

HEA 1507 – School Busses

- Allows a school corporation to enter into an agreement with an agency or organization serving individuals with a developmental disability in which a school bus or special purpose bus used by the special education cooperative or school corporation may be used to transport individuals with a developmental disability.

SEA 29 – Elective Course on Indiana Studies

- Requires each school corporation to offer Indiana studies as an elective course in high school once per year.
- Requires IDOE by November 1, 2017 to conduct a survey of elementary and secondary teachers, administrators, and governing bodies as to whether they currently teach cursive writing and whether they are in favor or opposed to cursive writing instruction.

SEA 30 – Student School Information

- Requires IDOE to distribute certain information to school corporations by May 31 and December 31 each year concerning student legal settlement and enrollment.

SEA 61 – School Resource Officers (SRO)

- Requires schools to report all instances of seclusion, restraint, mechanical restraint, and physical restraint involving SROs in accordance with plans adopted by the school.

SEA 108 – Education Matters

- Allows school corporations to deny transfer requests or discontinue enrollment if a student has a history of unexcused absences and the governing body believes that attendance would be a problem.
- School improvement plans must be approved by August 1 (currently June 1).
- Allows students attending an educationally related non-classroom activity to be excused from school attendance and they may not be penalized.

SEA 182 – Superintendent Contracts

- Superintendent contracts renewed or entered after June 30, 2017 are capped at three years and contracts may not be extended for more than five additional years.
- Buy out provision must be the lesser of one year salary or \$250,000.

SEA 196 – School Debt Service Obligations

- Upon being notified of a school corporation's failure to pay debt service obligations when due, the Treasurer of State shall within five days pay the unpaid debt service obligations that are due from state funds, but only to the extent amounts are available to the Treasurer to fulfill this requirement.

SEA 198 – Career and Technical Education

- Changes provisions concerning CTE, implements the Indiana career explorer pilot program, changes CTE reporting, changes grant structure, and changes categorization structures.
- Requires SBOE to use Department of Workforce Development data in developing statewide systems, developing a statewide plan, and establishing a regional planning system.
- Creates the Indiana career explorer pilot program for students in 8th grade in 15 schools across Indiana.
- Creates pathway to determine high value program, moderate value program, and less than moderate program.

- Enrollment grants are established per student: high value \$680; moderate value \$400; less than moderate \$200; apprenticeship or foundational \$150; introductory \$300; travel from enrolled school to CTE program \$150.

SEA 248 – Consolidation of School Administrative Functions

- Allows school corporations situated in the same or adjoining counties to consolidate.

SEA 309 – Distributed Generation (Solar Energy)

- After July 1, 2032 schools will be required to sell excess distributed generation and will receive a credit on their monthly bill.

SEA 337 – Study of Ethnic and Racial Groups Course

- Requires each school corporation to offer the study of ethnic and racial groups as an elective course in high school once per year.

SEA 355 – Child Abuse Education and Policies

- Starting December 15, 2018 and each December 15 thereafter, schools must provide age appropriate instruction on child abuse and child sexual abuse to students in kindergarten through 12th grade.
- Requires IDOE to identify outlines and materials for instruction.
- Instruction may be delivered by a school safety specialist, school counselor or anyone with proper training.

SEA 392 – Emergency Medication in Schools

- Allows for albuterol, epinephrine, and naloxone to be stocked in schools for emergency purposes.
- Provides civil immunity in certain circumstances.

SEA 407 – Education Matters

- Requires the Indiana Education Employment Relations Board to develop and maintain training modules or videos to instruct school employees about their bargaining rights.

SEA 409 – Collective Bargaining

- If the parties do not receive a certified estimate within 30 days after the fall count, the parties may use the estimate for purposes of collective bargaining.

SEA 447 – Child Services

- Requires each employee likely to have direct and ongoing contact with children to attend or participate in training on child abuse and neglect at least once every two years.

SEA 475 – Developmental Delay

- Beginning after July 1, 2018, developmental delay is a disability category for students who are at least three years of age but less than nine years of age.

SEA 498 – Teacher Compensation

- Amends the current 33 percent salary increase rule and increases it to 33.33 percent.
- Struck attainment of a degree and added possession of a degree to determine pay increases.

SEA 567 - Distressed Political Subdivisions

- Designates Gary Community School Corporation as a distressed political subdivision.
- Designates Muncie Community Schools as a fiscally impaired school corporation.
- Effective upon passage.

Unless noted, all bills will be effective July 1, 2017.